

preparing to consolidate into three mega airlines controlling eighty-five percent of the U.S. commercial air transportation services.

A GAO report that I, along with my colleague JAMES OBERSTAR (MN), requested made clear in December that the proposed US Airways/United merger would trigger further consolidation of the industry, thereby reducing the industry to as few as three major carriers. That prediction has come true faster than any of us imagined. It appears that the mere possibility of a United/US Airways merger has prompted American Airlines to buy Trans World Airlines. Now press reports indicate that Delta Airlines, Continental Airlines and Northwest Airlines are also exploring a strategic alliance.

No one believes that these mergers are going to benefit consumers. We need a moratorium to determine how detrimental the impact of these mergers will be on the flying public.

Twenty-two years into deregulation, we have been left with fewer airlines, eroding passenger service, and gridlock. President Bush would have the opportunity during a moratorium to order a comprehensive review of how these mergers will adversely impact the public. Newly appointed U.S. Transportation Secretary Norman Y. Mineta and U.S. Attorney General John Ashcroft would have the necessary time to fully understand the problems, opportunities and constraints faced by new carriers.

A moratorium would provide the Bush administration with sufficient time to establish a new merger policy. These are enormously complex mergers where the public interest must be a factor in determining whether to allow them to go forward.

A moratorium would provide Congress an opportunity to request its own independent analysis of consolidation-related issues from the Transportation Research Board (TRB)—as Congress did in 1999 with respect to the DOT Competition Guidelines.

Congress could seek a TRB analysis of the many merger-related questions that remain open including the following:

What are the anticipated long-term impacts on air transportation system workers should these mergers be approved?

Is US Airways really a failing airline? If so, why in United paying a huge market premium to acquire it?

What is the best use of publicly owned take-off and landing time slots at Reagan National Airport?

What would be the national economic impacts from a labor strike among airline employees should these mergers consolidate the airline industry into three major carriers?

Generations of American taxpayers have poured their hard-earned tax dollars into building our nation's aviation infrastructure. These same taxpayers now find themselves at the mercy of the marketing departments of mega-carriers who can decide with impunity which regions of the country will live or die based on their access to air service.

We owe it to our constituents to take a hard look at how these mergers will further impact our communities.

CBC HEARING ON ELECTION REFORM

HON. CYNTHIA A. MCKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2001

Ms. MCKINNEY. Mr. Speaker, in 1857, the Supreme Court majority penned these infamous words: "[The black man has] no rights which the white man was bound to respect." The state of minority voting rights in America is in disorder, and I see a direct line between the debacle of 2000 and that shameful ruling in the Dred Scott case that found that blacks could not be citizens of the United States of America. From that decision and onto Plessy v. Ferguson in 1896, which struck down a federal law passed to enforce the Fourteenth Amendment to the Constitution, black Americans have known that the Supreme Court can, at its worst, become a reflection of the particular mutation of racism of the day.

We find ourselves today in a serious retrenchment on our country's commitment to mainstreaming into American life its former slaves. Affirmative action has been decimated. The Voting Rights Act has been bludgeoned, with its enforcement section due to expire in less than a decade, and the ability of minorities to elect their candidates of choice severely hampered by the Supreme Court in its rulings limiting the ability to create black-majority congressional districts and limiting the enforcement powers of the Department of Justice.

But no one, I'm certain, ever thought that the kind of voter suppression witnessed in the 2000 Presidential elections would ever be revisited upon America's minorities. If I had to give a State of the State of the Minority Vote, I would say that disfranchisement, not enfranchisement, is the order of the day. First, in 1978, the Burger Supreme Court turned the Fourteenth Amendment sideways by outlawing the use of racial quotas implemented for the purpose of including minorities in American life. A few years later, the Rehnquist Court stood the Fourteenth Amendment on its head by issuing its startling decision in *Shaw v. Reno* that completely changed the political map for American minorities. In the Court's ruling in *Johnson v. Miller*, Georgia's redistricting case I learned the hard way that Supreme Court justices, like other participants in our judiciary, are political actors first and foremost. I saw them dismantle my district and pave the way so that other black voters across the South could receive similar mistreatment.

The Voting Rights Act was passed to prohibit impediments to voting. The original focus was literacy tests, poll taxes, and direct threats and intimidation, along with redistricting, dual voter lists, location of polling places and eventually, voter registration, and purging of names from the voter list. However, innovation has never been lacking among those who want to suppress and deny minority voting rights. As we have seen in the debacle of the Year 2000 Presidential Elections, especially in Florida, minority voter suppression comes in many forms.

Take my State of Georgia. In the majority black precincts of my district, the chaos was so pervasive it could have been planned. In one precinct in my district, white police even blocked the entrance and refused free access

for voters because of an erroneous belief that I hadn't supported their pay raise. Too often there was only voter list. There were poorly trained elections workers, old equipment and overcrowded precincts right next to unused spacious accommodations. The frequent inability to handle high voter turnout is particularly disgraceful. Having to stand in line, sometimes outside in the rain and sometimes for as many as five hours, is outrageous and unconscionable and should not be tolerated anywhere, let alone the world's wealthiest nation. Yet that happened at many of my precincts in my district. It is also inexcusable to stand in line for hours, only to reach the table and be told that you are not at the correct voting place, that there is no time to get to the correct place and that you won't be able to vote. This also happened over and over again in my district.

Interestingly, we have Democrats in charge of our county, yes they vote to deny funds to allow a smooth voting process for the areas of the county now experiencing tremendous population growth. It shouldn't be surprising that this population growth is nearly all black. What makes this governing body's failure to appropriate the necessary funds to accommodate our new voters is so shocking that we had this same scenario in 1996, a Presidential election year and the year in which I faced reelection in a majority white district with well-financed white Democratic and Republican opposition. An overwhelming black turnout returned me to Congress despite the new district and in the process the county elected its first black sheriff and superior court clerk. They immediately voted to give the black newspaper the legal organ designation and a change in the county was evident. There should not have been a repeat of the chaos this year, but there was. I would suggest that perhaps the leaders responsible for appropriating funds for DeKalb County don't want large voter participation from the black residents on its south side. That's the only way I can explain the failure to fund adequately the elections office for the past four years. I would argue that, this is a subtle violation of the Voting Rights Act with the intent and effect of suppressing the minority vote.

Let me address other ways that we are disfranchised:

A recent study by the Southern Regional Council found that punchcard machines are disproportionately used by black voters in Georgia and disproportionately fail to register votes. Similar findings come from other states, yet many states are hard-pressed for funds for the infrastructure of democracy. If Congress fails to fund modernization of election equipment in the United States and better training and education of pollworkers and voters, we will send the message that it doesn't matter if votes aren't counted. A one-time Federal investment equal to less than one percent of the annual defense budget would give Americans the voting mechanics a modern democracy—let alone one of our status—demands. If President Bush truly wants to move beyond the controversy in Florida, his immediate step must be to support full federal support to states in modernizing equipment and procedures.

Why should people who have served their time and paid their debt to society be permanently disfranchised from America's body politic? Fourteen States bar criminal offenders